



THE CITY OF NEW YORK
LAW DEPARTMENT

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March 22, 2019

VIA E.C.F.

Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Aaron Lichtenstein v. City of New York, et.al., 19-cv-00179 (ARR) (RER)

Your Honor:

On behalf of defendant The City of New York, I write to respectfully request a sixty day extension of time to answer or otherwise respond to the complaint from March 27, 2019 to May 24, 2019. Plaintiff's counsel consents to this request.

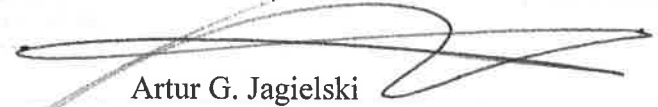
By way of background, in this action, plaintiff is alleging civil rights claims under 42 U.S.C. § 1983 arising out of his January 10, 2018 arrest by NYPD police officers. Plaintiff is asserting the usual arrest and prosecution-related claims against the unidentified John Doe officers, and a municipal liability claim against the City arising from his arrest and prosecution.

There are several reasons for seeking an enlargement of time in this matter. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, our office needs time to investigate the allegations in the complaint. Furthermore, according to the complaint, the charges against plaintiff were dismissed, and accordingly, the records of the underlying arrest and criminal prosecution, including police records, may have been sealed pursuant to N.Y. Crim. Proc. L. § 160.50. Accordingly, our office has requested that plaintiff's counsel provide an executed § 160.50 release for the release of the sealed arrest and criminal prosecution records so that the City can access the information, evaluate the claims in the complaint, and properly respond to the allegations therein. Additionally, the requested enlargement, if granted, would give this office time to identify the unidentified officers (now designated as "PO's JOHN DOE #1-10").

For the foregoing reasons, it is respectfully requested that the City's time to answer or otherwise respond to the complaint be extended to May 24, 2019. This is the City's first request for an extension of time to respond to the complaint and this extension will not affect any other scheduled dates in this litigation.

Thank you for your consideration herein.

Respectfully submitted,



Artur G. Jagielski
Assistant Corporation Counsel